

Restrictive Purchase of Service Method for the Procurement of Health and Human Services

Brief Description	Award without competition when certain conditions are met.
Bases for Use	Bases for restrictive purchase include, but are not limited to: 1. Need for a service in a geographic area available from only one provider; 2. Need for a service with a unique cultural approach designed for a limited target group available from only one provider; or 3. Only one provider satisfies limitations imposed by funding source.
Solicitation Required	No. However, public notice of intention to utilize a restrictive contract must be posted along with a newspaper public notice.
Term Limit of Contract	Not to exceed two years.
Approval Required	Head of purchasing agency makes a written determination. Chief Procurement Officer approves the determination in writing.
Monetary Cap	Limited by availability of funds.
Protests	May protest a purchasing agency's failure to follow procedures of this chapter or rules of the policy board. Also contains a request for reconsideration process.
Procedures	Purchasing agency submits written determination with evidence supporting the request for restrictive purchase to chief procurement officer. Chief procurement officer reviews request and, if approved, state agency posts a public notice and newspaper public notice that includes a statement that any person may file a written protest and address of person or purchasing agency with whom protests are to be filed and date due. Written determination, any protests, written summary of disposition of any protest will be included in the contract database.
Reference	Hawai'i Revised Statutes §103F-403 Restrictive Purchase of Services §103F-501 Protested Awards §103F-502 Right to Request Reconsideration §103F-503 Award of Contract Suspended During a Protest §103F-504 Exclusivity of Remedies and Hawai'i Administrative Rules